

FIFTY-THIRD DAY

(Continued)

(Thursday, April 20, 1995)

AFTER RECESS

The Senate met at 7:30 a.m. and was called to order by Senator Harris.

SENATOR ANNOUNCED PRESENT

Senator Shapiro, who had previously been recorded as "Absent-excused," was announced "Present."

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer announced that the time had arrived for consideration of the Local and Uncontested Bills Calendar.

Pursuant to Senate Rule 9.03(d), the following bills were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time, and passed (vote on Constitutional Three-Day Rule and final passage indicated after the caption of each bill):

H.B. 2 (Brown) Relating to restrictions on contributions to legislative caucuses during regular sessions of the legislature and to reporting requirements concerning caucus contributions and expenditures; providing penalties. (31-0) (31-0)

H.B. 731 (Moncrief on behalf of Harris) Relating to the investment of funds of a local government or an institution of higher education. (31-0) (31-0)

H.B. 1207 (Sibley) Relating to the authority of a hospital district to contract with the Texas Department of Health for the provision of certain health care services. (31-0) (31-0)

H.B. 1219 (Sims) Relating to the handling and quarantine of certain animals; providing a penalty. (31-0) (31-0)

S.C.R. 74 (Rosson) Declaring it state policy to make readily available to the public facts and information on the operation, funding, distribution, and allocation of state government resources, and directing executive-branch entities to develop and disseminate such facts and information. (vv)

S.C.R. 95 (Wentworth) Declaring the Mexican free-tailed bat the "Official Flying Mammal" of the State of Texas. (vv)

S.C.R. 98 (Bivins) Paying tribute to Harry G. Heyman. (vv)

S.B. 80 (Shapiro) Relating to requiring training in issues concerning sex offender characteristics for certain judicial and law enforcement professionals. (31-0) (31-0)

C.S.S.B. 81 (Shapiro) Relating to the establishment of children's advocacy centers. (31-0) (31-0)

S.B. 512 (Moncrief on behalf of Harris) Relating to payment for a statement of facts in a suit affecting the parent-child relationship. (31-0) (31-0)

Senator Moncrief, on behalf of Senator Harris, offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 512** as follows:

1. On page 1, line 12, strike the word "~~shall~~" and replace with the word "may".

The committee amendment was read and was adopted by a viva voce vote.

S.B. 514 (Moncrief on behalf of Harris) Relating to the availability of health insurance for certain children the subject of a child support order. (31-0) (31-0)

C.S.S.B. 621 (Moncrief on behalf of Harris) Relating to the requirement that certain licensing agencies share certain background information with regard to license applicants and license holders. (31-0) (31-0)

S.B. 622 (Moncrief on behalf of Harris) Relating to the establishment and operation of a domestic relations office; providing a penalty. (31-0) (31-0)

Senator Moncrief, on behalf of Senator Harris, offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 622** as follows:

(1) On page 1, on line 9, between "a" and "juvenile" insert "commissioners court".

(2) On page 1, on line 16, strike "(a)".

(3) On page 1, strike lines 18 and 19.

(4) On page 3, on line 22, after "The" strike "commissioners court" and insert "administering entity".

(5) On page 4, on line 4, strike "child support".

(6) On page 4, on line 5, strike "a" and insert "each".

(7) On page 4, on line 5, strike "or" and insert "and".

(8) On page 4, on line 7, strike "and".

(9) On page 4, on line 9, strike "." and insert ", and".

(10) On page 4, between lines 9 and 10, insert the following:
"(6) a reasonable fee for preparation of a court-ordered social study".

The committee amendment was read and was adopted by a viva voce vote.

Senator Moncrief, on behalf of Senator Harris, offered the following committee amendment to the bill:

Committee Amendment No. 2

Amend **S.B. 622** as follows:

On page 1, in Sec. 38.002., add Subsection (b) to read, "(b) A commissioners court in a county having a population of 1,000,000 or more shall establish a domestic relations office."

The committee amendment was read and was adopted by a viva voce vote.

S.B. 653 (Galloway) Relating to fees paid by certain registered professional engineers. (31-0) (31-0)

S.B. 691 (West) Relating to the appointment of an acting county judge. (31-0) (31-0)

Senator West offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 691** by deleting the word "shall" on line 9 and inserting in lieu thereof the following: "may"

The committee amendment was read and was adopted by a viva voce vote.

S.B. 701 (West) Relating to the creation of municipal courts of record in Grand Prairie. (31-0) (31-0)

S.B. 783 (Ratliff) Relating to the right of a person leasing property to administrative and judicial review of a determination of the appraised value of the property for ad valorem taxation. (31-0) (31-0)

S.B. 789 (Moncrief on behalf of Harris) Relating to possession and delivery of a child in an emergency without a court order. (31-0) (31-0)

S.B. 794 (Moncrief on behalf of Harris) Relating to the effective date of a county sales and use tax for the purpose of financing the operation of a crime control and prevention district. (31-0) (31-0)

S.B. 805 (Gallegos) Relating to exempting certain youth camps from child-care licensing requirements. (31-0) (31-0)

S.B. 861 (Ellis) Relating to leaves of absence for certain deputy sheriffs. (31-0) (31-0)

S.B. 900 (Henderson) Relating to the admissibility in a suit affecting the parent-child relationship of evidence relating to the use or nonuse of a child passenger safety seat system or a safety belt in certain motor vehicles being operated on a highway. (31-0) (31-0)

S.B. 912 (Armbrister) Relating to associate judges appointed by the county courts at law of Fort Bend County. (31-0) (31-0)

C.S.S.B. 918 (Wentworth) Relating to the appeal from a justice or municipal court in a criminal case. (31-0) (31-0)

C.S.S.B. 927 (Zaffirini) Relating to the conveyance of a Texas Turnpike Authority project. (31-0) (31-0)

S.B. 955 (Nelson) Relating to exemptions from regulation as a food manufacturer or wholesaler. (31-0) (31-0)

Senator Nelson offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 955** by adding the following new SECTION, appropriately numbered, and renumbering remaining sections as necessary:

SECTION ____ Subdivision (3), Section 431.221, Health and Safety Code, is amended to read as follows:

(3) "Food wholesaler" means a person who distributes food for resale, either through a retail outlet owned by that person or through sales to another person. The term "food wholesaler" shall not include a commissary which distributes food primarily intended for immediate consumption on the premises of a retail outlet under common ownership or establishments engaged solely in the distribution of alcoholic or nonalcoholic beverages in sealed containers.

The committee amendment was read and was adopted by a viva voce vote.

S.B. 980 (Truan) Relating to the operation on highways of vehicles that are equipped with monitoring devices used in conjunction with mobile navigational systems. (31-0) (31-0)

S.B. 1020 (Brown) Relating to the transfer of certain programs from the governor's office. (31-0) (31-0)

S.B. 1028 (Haywood) Relating to regulating the sale of livestock at auction. (31-0) (31-0)

S.B. 1069 (Sims) Relating to including a multiracial classification on all forms requesting information on racial identification and providing for reporting racial information to federal agencies. (31-0) (31-0)

S.B. 1159 (Sibley) Relating to arbitration of a dispute with the General Services Commission regarding certain building construction contracts. (31-0) (31-0)

C.S.S.B. 1181 (Armbrister) Relating to credit service organizations. (31-0) (31-0)

S.B. 1182 (Armbrister) Relating to certain reports filed with the Office of the Secretary of State. (31-0) (31-0)

S.B. 1281 (Sibley) Relating to security devices in housing owned or operated by certain public or private colleges or universities. (31-0) (31-0)

S.B. 1282 (Rosson) Relating to the authority of the School Land Board to dedicate permanent school fund land for public uses in exchange for nonmonetary consideration. (31-0) (31-0)

S.B. 1347 (West) Relating to securing or guaranteeing payment on in-kind sales through insurance contracts or other agreements. (31-0) (31-0)

S.B. 1356 (Haywood) Relating to the commingling of oil and gas production. (31-0) (31-0)

C.S.S.B. 1369 (Wentworth) Relating to the regulation of development by a municipality in certain circumstances. (31-0) (31-0)

S.B. 1403 (Bivins) Relating to the automatic suspension of the driver's license of a person convicted of certain drug offenses. (31-0) (31-0)

C.S.S.B. 1407 (Moncrief on behalf of Harris) Relating to contractual arrangements among health maintenance organizations, physicians, and other providers. (31-0) (31-0)

C.S.S.B. 1408 (Moncrief on behalf of Harris) Relating to the parent-child relationship and certain child welfare services. (31-0) (31-0)

S.B. 1512 (Cain) Relating to the implementation of an automated highway-railroad grade crossing enforcement system demonstration project. (31-0) (31-0)

S.B. 1513 (Cain) Relating to certain special stops required of motor vehicles at railroad crossings; creating offenses and providing penalties. (31-0) (31-0)

S.B. 1572 (Henderson) Relating to encouraging the use of alternative dispute resolution in certain proceedings. (31-0) (31-0)

S.B. 1573 (Henderson) Relating to powers and duties of parents appointed as conservators of a child in a suit affecting the parent-child relationship. (31-0) (31-0)

S.B. 1627 (Sibley) Relating to the dissolution of the DeLeon Hospital District and the Comanche County Hospital District and the creation of the Leon Valley Hospital District; authorizing a tax; granting the authority to issue bonds; and granting the power of eminent domain. (31-0) (31-0)

CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Truan, the Senate at 7:53 a.m. adjourned until 9:00 a.m. today.

APPENDIX

REPORTS OF STANDING COMMITTEE

The following committee reports were received by the Secretary of the Senate:

April 19, 1995

INTERGOVERNMENTAL RELATIONS — H.B. 338, H.B. 1475, S.B. 386, S.B. 1388, H.B. 750, H.B. 1529, S.B. 1550, S.B. 1643, H.B. 1304, S.B. 118, H.B. 751, C.S.S.B. 595, C.S.S.B. 970, C.S.S.B. 317

FIFTY-FOURTH DAY
(Thursday, April 20, 1995)

The Senate met at 9:00 a.m. pursuant to adjournment and was called to order by Senator Armbrister.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Sims, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend Jayson Knox, Pastor, Mission Hills Church, Austin, offered the invocation as follows:

May we pause for a moment of silent prayers to be offered on behalf of those involved in the tragedy of the Oklahoma City explosion.

Our Father, we are sobered by the loss of life and angered by the cruel evil of yesterday's bombing in our neighboring state. Extend Your peace to us.

With renewed vigor we offer ourselves in Your service, for only You have the answers we need.

Now, Father, bless the people of Texas today by giving Your help here in this Senate Chamber. Provide these men and women with wisdom to discern the times and to know what to do. Give them courage to stand alone, if need be, for what is good and true. Grant them humility as they labor together here. Help them labor with all integrity when out of public view. Grace them with the ability to recognize and agree with what is right, no matter who forwards it. Bless this Senate today, April 20, 1995, for when rulers rule in righteousness, the people are blessed. I pray this in the name of Jesus Christ the Lord. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.